

# **CONSOLIDATED SUMMARY JUDGMENT EXHIBITS**

## **EXHIBIT 6**

1  
2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK

----- X

PAUL IACOVACCI,

Plaintiff,

vs.

No.

18cv8048

BREVET HOLDINGS, LLC, a  
Delaware Limited Liability  
Company, et al.,

Defendants.

----- X

November 18, 2021

2:01 p.m.

Deposition of MEI-LI DA SILVA  
VINT, held at the offices of Reed Smith  
LLP, 599 Lexington Avenue, New York, New  
York, pursuant to Notice, before Theresa  
Tramondo, AOS, CLR, a Notary Public of the  
State of New York.

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ALSO PRESENT:

HOWARD BRODSKY, VIDEOGRAPHER, VERITEXT  
LEGAL SOLUTIONS

1  
2 THE VIDEOGRAPHER: Good  
3 afternoon. Here begins Volume 2 of  
4 the video recorded virtual remote  
5 30(b)(6) deposition of Mei-Li da Silva  
6 Vint, appearing on behalf of Brevet  
7 Capital Management from her location  
8 in Manhattan, New York. This  
9 deposition is taken by the plaintiff  
10 in the matter of Paul Iacovacci,  
11 plaintiff, versus Brevet Holding, LLC,  
12 et al., defendants, Case Number  
13 1188048WHP (sic) in the United States  
14 District Court, Southern District of  
15 New York. Today is Thursday  
16 November 18, 2021. The time is  
17 approximately 2:15 p.m. Eastern  
18 Standard Time.

19 My name is Howard Brodsky. I'm  
20 the legal video specialist in  
21 association with Veritext Legal  
22 Solutions with offices located in New  
23 York, New York. The court reporter is  
24 Theresa Tramondo in association with  
25 Veritext.

1  
2 Counsel have agreed that the  
3 court reporter has entered all  
4 appearances for this proceeding in the  
5 stenographic record and the parties  
6 have stipulated and agreed that the  
7 court reporter may take the deponent's  
8 oath remotely.

9 Will the court reporter please  
10 swear in the witness.

11 M E I - L I D A S I L V A V I N T,  
12 called as a witness, having been duly  
13 sworn by a Notary Public, was examined and  
14 testified as follows:

15 BY THE REPORTER:

16 Q. State your name for the record,  
17 please.

18 A. Mei-Li da Silva Vint.

19 Q. What is your address?

20 A. I'm at my attorney's office.

21 599 Lexington Avenue New York, New York

22 EXAMINATION BY

23 MR. CYRULNIK:

24 Q. Sounds like we're ready to  
25 start. I'll note for the record it's 2:16

1                               da Silva Vint

2       and change.

3                               Good afternoon, Ms. Da Silva  
4       Vint.   How are you?

5               A.       I'm well.   How are you?

6               Q.       Doing well.   Thank you.

7                               You understand you're here to  
8       testify in the corporate witness capacity as  
9       a 30(b)(6) witness for Brevet on the  
10      designated topics?

11              A.       I do.

12              Q.       Those topics are 6 through 8, 10  
13      through 14, 27 through 31 and 36 through 38,  
14      right?

15              A.       Yes.

16              Q.       Can you list for me the deals,  
17      transactions or prospective clients that  
18      Mr. Iacovacci diverted away from Brevet?

19              A.       Speaking on behalf of the  
20      company, I can point you to documents that  
21      were produced including e-mails that would  
22      include deals and clients that were diverted  
23      away from Brevet.

24              Q.       Yeah, I appreciate that, but  
25      that's not what I'm asking you.

1                   da Silva Vint

2                   I'm asking you if you can  
3 identify any deal, transaction or a  
4 prospective client that Mr. Iacovacci  
5 diverted away from Brevet?

6           A.       Yes.

7           Q.       Okay, let's start --

8           A.       Sure, an example of clients  
9 would be the [REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] An example of a transaction --

11          Q.       Let's just go slowly.

12 [REDACTED] [REDACTED] is the first client  
13 you said he diverted?

14          A.       Correct.

15          Q.       Is there another client that he  
16 diverted?

17          A.       I'm giving you examples. So,  
18 yeah. Another example is [REDACTED]  
[REDACTED]

20          Q.       [REDACTED] [REDACTED]. I don't  
21 want examples. I want a list. So I have  
22 two so far on clients.

23                   Any other clients you can  
24 identify as clients that Mr. Iacovacci  
25 diverted away from Brevet in Brevet's view?



1                   da Silva Vint

2           A.       Speaking on behalf of the  
3       company, I can't sit here and list the  
4       number of clients that Paul diverted away  
5       from Brevet.

6           Q.       You can't tell me the number or  
7       you can't identify any others than beyond  
8       the [REDACTED] [REDACTED] [REDACTED]  
[REDACTED]; is that fair?

10          A.       If you would like to go through  
11       the e-mails that we produced related to what  
12       he sent from his Brevet e-mail to his  
13       personal e-mail, which included client  
14       lists, we can do that.

15          Q.       Ms. Da Silva Vint, I don't need  
16       a deposition to walk through e-mails with  
17       you. I'm asking you questions. If you know  
18       the answers to my questions, great; if you  
19       don't, you can say that as well, but please  
20       just focus on the questions.

21                   I asked you to identify three  
22       different categories of things. The first  
23       thing I think you addressed were clients  
24       that Mr. Iacovacci allegedly diverted from  
25       Brevet. Did I get that right?

1                   da Silva Vint

2                   A.       So I gave you examples of types  
3       of clients which include -- I don't know how  
4       you're defining "clients," but clients can  
5       include potential investors, it can include  
6       potential borrowers. I'm giving you an  
7       example of two clients in the investor  
8       category that he diverted away.

9                   Q.       I'm not looking for examples,  
10      but let me make sure we're on the same page  
11      here.

12                          You identified clients of Brevet  
13      as including two subcategories, investors  
14      and borrowers; is that right?

15                   A.       Those are two potential  
16      subcategories within the definition of  
17      "client."

18                   Q.       Again, I don't want "potential  
19      subcategories." I want to know are there  
20      any other categories of clients that you  
21      would identify as clients that Mr. Iacovacci  
22      diverted away from Brevet?

23                   A.       Investors and borrowers are  
24      types of clients that Paul diverted away  
25      from Brevet.

1                   da Silva Vint

2                   Q.       Are there any other types of  
3 clients that Paul diverted away from Brevet?

4                   A.       There could be. We would have  
5 to turn to the e-mails and go through the  
6 e-mails, which we have produced, where there  
7 are substantial things that he forwarded to  
8 his e-mail address, his personal e-mail  
9 address, which includes things like  
10 borrowers, potential borrowers, investors,  
11 investor lists.

12                  Q.       Ms. Da Silva Vint, there is a  
13 bit of a disconnect over here. I'm just  
14 asking you questions.

15                         Did you go through the e-mail  
16 that you're referencing to prepare for this  
17 30(b)(6) deposition?

18                  A.       I came prepared by reviewing the  
19 list of e-mails, which we can go through.  
20 There are hundreds of e-mails that we've  
21 already produced, and if you want to go  
22 through a specific example, we can do that.

23                  Q.       This is not about examples,  
24 Ms. Da Silva Vint. I'm here asking you  
25 questions, you're representing the company,

1                   da Silva Vint

2       and you're going to tell me the company's  
3       positions.

4                   My question to you is: Did you  
5       review the actual e-mails that you are  
6       referencing in order to prepare for this  
7       deposition; yes --

8           A.       I have reviewed in the past the  
9       e-mails.

10          Q.       Did you review those e-mails to  
11       prepare for this deposition; yes or no?

12          A.       I did not rereview these  
13       e-mails, hundreds of e-mails to prepare for  
14       this deposition.

15          Q.       Okay. Well, sitting here today,  
16       can you identify any other types of clients  
17       that Mr. Iacovacci diverted from Brevet;  
18       that is, other types of clients beyond  
19       investors or borrowers?

20          A.       Sitting here today, I will  
21       identify borrowers and investors as  
22       potential clients that Paul diverted away  
23       from Brevet.

24          Q.       Let's start with investors. Can  
25       you identify any investor clients that Paul

1                   da Silva Vint

2       diverted away from Brevet?

3           A.       Yes.

4           Q.       How many can you identify?

5           A.       I have already listed two.

6           Q.       Those are both investor clients?

7           A.       Investor -- potential investors.

8           Q.       Are they investors of Brevet or  
9       potential investors of Brevet?

10          A.       I said "potential investors."

11          Q.       So you have the [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED], two

13       potential investors of Brevet that you

14       contend Mr. Iacovacci diverted, correct?

15          A.       Yes.

16          Q.       Are there any actual investors  
17       in Brevet that you can identify

18       Mr. Iacovacci as having diverted?

19                   MR. UNDERWOOD: Object to the  
20       form of the question.

21          A.       I actually don't understand the  
22       question.

23          Q.       You qualified your

24       identification of [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] as "potential

1                   da Silva Vint  
2   investors of Brevet," not investors of  
3   Brevet; did I hear you correctly?

4           A.       Yes.

5           Q.       And I'm asking you whether there  
6   are any investors of Brevet as distinguished  
7   from just potential investors that  
8   Mr. Iacovacci also diverted in Brevet's  
9   opinion?

10                   MR. UNDERWOOD: Object to the  
11                   form of the question.

12           A.       I still don't understand. If  
13   someone is diverted, how are they a  
14   potential and an actual.

15           Q.       Okay, I think I see the  
16   disconnect.

17                   Do you understand the difference  
18   between a "potential investor" and an  
19   "actual investor"?

20                   MR. UNDERWOOD: Object to the  
21                   form of the question.

22           Q.       Do you understand the difference  
23   between those two terms?

24           A.       I don't know. Clearly not, if  
25   you're understanding it one way and we have

1                   da Silva Vint  
2   a disconnect. So can you explain how you  
3   understand them?

4           Q.       Well, I'm asking you based on  
5   your usage of the term, so it's much more  
6   important to me to understand what you mean  
7   than for you to understand what my view  
8   would be.

9                   So in your view, when you say  
10  "investor in Brevet" versus "potential  
11  investor in Brevet," can you explain to me  
12  what you mean by those two terms?

13          A.       They're not invested in Brevet.

14          Q.       Let's use someone who is not  
15  invested in Brevet, but might invest in  
16  Brevet as "potential investor in Brevet" for  
17  purposes of the question and someone who  
18  actually has invested with Brevet as "actual  
19  investor," okay?

20          A.       Okay.

21          Q.       Okay, with those terms in mind,  
22  I take it you don't have any actual  
23  investors in Brevet that you can identify as  
24  having been diverted away from Brevet by  
25  Mr. Iacovacci; is that fair?

1                   da Silva Vint

2                   MR. UNDERWOOD: Object to the  
3                   form of the question.

4                   A.       From the company's perspective,  
5                   we wouldn't know. There's voluminous  
6                   production that hasn't been made by the  
7                   plaintiff, so we don't know definitively.

8                   Q.       I understand that and I  
9                   appreciate your positions as to why you  
10                  don't know, but the answer is: Sitting here  
11                  today based on what has been produced,  
12                  whatever has not been produced, you can't  
13                  identify any actual investors who  
14                  Mr. Iacovacci diverted away from Brevet,  
15                  fair?

16                  MR. UNDERWOOD: Object to the  
17                  form of the question.

18                  A.       Yes.

19                  Q.       And with respect to potential  
20                  investors, sitting here today, again, and  
21                  subject to all of the caveats that you have,  
22                  whatever you have, and whatever has been  
23                  produced has been produced, I get it, but  
24                  sitting here today, you can identify two,  
25                  but only two specific potential investors



1                   da Silva Vint  
2       that Brevet contends were diverted away from  
3       Brevet by Mr. Iacovacci, and that would be  
4       [REDACTED] [REDACTED] [REDACTED]  
5       [REDACTED]; did I get that correct as well?

6           A.       In the "potential investor"  
7       category, correct.

8           Q.       Let's go to borrowers, if we  
9       can, and I will use the same distinction  
10      between "potential borrowers" and "actual  
11      borrowers"; that is, "actual borrowers"  
12      would be a term I use to refer to someone  
13      who actually has borrowed from Brevet, an  
14      entity or individual who has borrowed from  
15      Brevet, and I'll use the term "borrower" to  
16      describe someone -- a "potential borrower"  
17      to describe someone that has not actually  
18      borrowed from Brevet.

19                   With that in mind, can you  
20      identify any borrowers, actual borrowers of  
21      Brevet that Mr. Iacovacci has diverted?

22           A.       I will broaden that to be deals  
23      or potential deals that were diverted away  
24      in the sense of someone who would be  
25      borrowing and including someone who would be

1                   da Silva Vint

2       bringing that transaction to us, and yes.

3           Q.       So on the borrower side, you  
4       would equate that with deals or transactions  
5       that Mr. Iacovacci diverted?

6           A.       Yes.

7           Q.       So let's go through that list.  
8       We have a complete list on the client side;  
9       is that fair, with the exception of  
10      borrowers who you are linking up  
11      with -- withdrawn.

12                   Let's talk about the borrower  
13      investors -- I'm sorry, the borrower clients  
14      and the deals. Can you identify for me the  
15      deals, transactions or borrower investors  
16      that Mr. Iacovacci diverted away from  
17      Brevet?

18                   MR. UNDERWOOD: Object to the  
19      form of the question.

20      A.       Yes, [REDACTED] [REDACTED].

21      Q.       Okay.

22      A.       There was a [REDACTED] [REDACTED].

23      Q.       Did you say a [REDACTED] [REDACTED] [REDACTED]?

24      A.       Yes.

25      Q.       Okay.

1                   da Silva Vint

2           A.       And various transactions related  
3 to [REDACTED]

4           Q.       The various transactions related  
5 to [REDACTED]. Anything else?

6           A.       Not at this moment.

7           Q.       So if we could just go through  
8 those quickly.

9                   When did Mr. -- the three deals  
10 that you just identified [REDACTED] [REDACTED]  
11 [REDACTED] [REDACTED] [REDACTED] and transactions related  
12 to [REDACTED] [REDACTED], I take it --

13          A.       Sorry, there is one more.  
14 There's [REDACTED].

15          Q.       There is another one. What was  
16 the other deal?

17          A.       [REDACTED]

18          Q.       [REDACTED] okay.

19                   Do you have any papers in front  
20 of you, Ms. Da Silva Vint?

21          A.       I do. I have something that was  
22 produced, I think, yesterday, a damages  
23 summary.

24          Q.       Is that a two-page summary?

25          A.       Yes.

1                   da Silva Vint

2                   (Exhibit 15, two-page damages  
3                   summary, marked for identification, as  
4                   of this date.)

5           Q.       Can you take a look at  
6           Exhibit 15 on the Exhibit Share. Is that  
7           what you're describing as the document in  
8           front of you?

9           A.       Yes.

10          Q.       Anything else in front of you?

11          A.       I have nothing else open in  
12          front of me.

13          Q.       How about closed; what else do  
14          you have that is not open in front of you?

15          A.       I have a binder related to the  
16          topics.

17          Q.       And that binder is a binder of  
18          discovery responses in this action that are  
19          referenced on the damage summary or on some  
20          other or --

21          A.       It's stuff that has been  
22          produced related to the topics that you may  
23          ask me about today.

24          Q.       Who prepared that binder?

25          A.       It was prepared in conjunction

1                   da Silva Vint

2       with counsel.

3               Q.       They selected the documents that  
4       they wanted to have in front you?

5               A.       It was prepared jointly, so we  
6       selected documents together.

7               Q.       So you were selecting documents.  
8       How did you identify documents that you  
9       wanted to bring with you to this deposition?

10              A.       In working with counsel around  
11       the topics.

12              Q.       How did you do it; what did you  
13       do to identify which documents you wanted to  
14       bring into the deposition room?

15              A.       We talked about documents that  
16       related to supporting our claims and what  
17       you were going to be asking about to be able  
18       to fully answer the facts, statements you  
19       need answered on these topics.

20              Q.       (\*\*RQ) Fair enough.

21                      I'll ask during the break for  
22       someone to send me either an index of that  
23       binder you brought with you to the  
24       deposition or else to list it out, as  
25       Mr. Solomon did yesterday, so that we can

1                   da Silva Vint

2       have a list of that, okay?

3           A.       Yes.

4           MR. UNDERWOOD:   So far she  
5       hasn't even opened the binder.   I'm  
6       not going to go ahead and give you a  
7       list of documents that she isn't even  
8       looking at.

9           MR. CYRULNIK:   Mr. Underwood,  
10      she brought a binder of documents in  
11      the deposition room.   If I was in the  
12      deposition room there with you, I  
13      would be entitled to ask you for it.  
14      I'm on Zoom and I'm asking you --

15          MR. UNDERWOOD:   Not if she  
16      didn't open it.

17          MR. CYRULNIK:   Well, we disagree  
18      with that.   And if you're going to  
19      refuse --

20          MR. UNDERWOOD:   Okay.

21          MR. CYRULNIK:   If you're going  
22      to refuse to provide us with that  
23      list, let us know now on the record.

24          MR. UNDERWOOD:   I'm going to  
25      take your request under advisement,

1                   da Silva Vint

2                   and at the end of your 36 minutes of  
3                   this deposition, I will let you know  
4                   whether we're going to provide a  
5                   listing of all the documents in that  
6                   binder.

7                   Q.       Well, Ms. Da Silva Vint, could  
8                   you list for me the documents in that binder  
9                   because counsel --

10                  A.       Like I said, it's voluminous.

11                  MR. UNDERWOOD:   If that's how  
12                  you choose to use 36 minutes in this  
13                  deposition, Ms. Da Silva Vint can turn  
14                  pages in the binder and list them for  
15                  you.

16                  MR. CYRULNIK:   Mr. Underwood, to  
17                  be clear for the record, you have  
18                  refused to provide us with a list of  
19                  the documents that she brought to this  
20                  deposition. We think that's improper.  
21                  If you're going to force us to use  
22                  time to have the witness give it to us  
23                  rather than you providing us with an  
24                  index --

25                  MR. UNDERWOOD:   She hasn't

1                   da Silva Vint  
2           looked at any of them during the  
3           deposition.

4                   MR. CYRULNIK:   Mr. Underwood,  
5           I'm still talking.

6                   If you're going to refuse to  
7           provide us with an index or to list  
8           that out, as Mr. Solomon, your own  
9           colleague, did yesterday, prior to any  
10          of them being used in the deposition,  
11          that creates a problem for us and  
12          necessitates asking Ms. Da Silva Vint  
13          to read them into the record herself.  
14          I don't think that's an efficient use  
15          of anybody's time, but that's for you  
16          to decide as to whether or not you're  
17          going to ask us to waste time doing  
18          that.   We obviously take the position  
19          that you requiring us to have the  
20          witness read them into the record,  
21          rather than giving us the information,  
22          as your own colleague did yesterday,  
23          and as is your obligation, is  
24          something that does not count towards  
25          our time with Ms. Da Silva Vint.



1                   da Silva Vint

2                   So do you want us to use our  
3                   time asking that question to the  
4                   witness or can you commit to giving us  
5                   that list at some point voluntarily  
6                   either off the record or via e-mail?

7                   MR. UNDERWOOD: Mr. Cyrulnik,  
8                   the witness hasn't looked at a single  
9                   document from the binder as part of  
10                  the deposition. I know of no  
11                  obligation to identify for you  
12                  documents that the witness assembled  
13                  in case she wanted to look at them, in  
14                  case you asked a question that  
15                  implicated the documents.

16                  (\*\*RQ)MR. CYRULNIK: The  
17                  obligation, Mr. Underwood, is to  
18                  respond to a question that is  
19                  obviously related to these 30(b)(6)  
20                  topics. The question is what  
21                  documents did you bring with you to  
22                  the deposition. They were identified  
23                  by way of reference to a binder. I  
24                  don't have that binder in front of me.  
25                  You do. That is improper. And I've

1                   da Silva Vint  
2           asked you to provide us with  
3           either -- I'm only asking you for a  
4           copy of the index or a listing of the  
5           documents. It would be reasonable for  
6           me to ask you to send me all of the  
7           documents themselves. And so that's  
8           the request on the table.

9                   And my question to you is: Are  
10          you going to refuse to provide us with  
11          even a listing of the documents that  
12          this 30(b)(6) witness has brought with  
13          her to this deposition in the  
14          deposition room in front of her?

15                   MR. UNDERWOOD: If the witness  
16          looks at documents, we will identify  
17          the documents to you.

18                   MR. CYRULNIK: We will --

19                   MR. UNDERWOOD: We can spend the  
20          rest of this time arguing over this,  
21          we can spend the rest of the time with  
22          her reading you a list of the  
23          documents, which are discovery  
24          responses, affidavits, just similar to  
25          the ones used by Mr. Monticciolo

1                   da Silva Vint  
2           yesterday. You can spend your time in  
3           the deposition however you choose.

4                   You could ask her questions or  
5           you could ask her to identify  
6           documents, but she hasn't looked at  
7           those documents yet, and I'm not going  
8           to commit to giving you a listing of  
9           those documents unless and until she  
10          finds a need to look at those  
11          documents.

12                   MR. CYRULNIK: I'll note for the  
13          record that Mr. Underwood's colloquy  
14          has taken approximately three or four  
15          minutes of the time that we have and  
16          obviously does not count against our  
17          deposition questioning time.

18                   I'll also note for the record  
19          that Mr. Underwood just likened these  
20          documents to the ones that  
21          Mr. Monticciolo brought yesterday,  
22          but, of course, did not do what his  
23          colleague Mr. Solomon did, which is to  
24          provide us with a complete listing of  
25          those documents.

1                   da Silva Vint

2                   I do not want to spend our time  
3           asking the witness, who has better  
4           things to do with her time, to read me  
5           the Bates numbers of all the documents  
6           she brought with her to the  
7           deposition; however, you are  
8           necessitating some other way of doing  
9           it because of your blatant refusal to  
10          provide us with basic information that  
11          any person who comes into a deposition  
12          room should be prepared to provide.

13                  We will give you the opportunity  
14          to consider that during the next  
15          break, and if that persists to be your  
16          position, we're going to ask the  
17          witness to provide those Bates numbers  
18          to us.

19          Q.       Continuing along the line of our  
20          questioning, you identify four different  
21          transactions or borrower clients. I take it  
22          each of those are prospective borrower  
23          clients or prospective transactions that  
24          Brevet is contending were diverted away, not  
25          actual transactions that they were expecting

1                   da Silva Vint

2       to get; is that a fair characterization of  
3       those four?

4           A.       No.

5           Q.       Okay. Well, why don't you tell  
6       me what's incorrect about that?

7           A.       The last piece where you say  
8       Brevet was not expecting to get.

9           Q.       Let's start with [REDACTED] Brevet  
10       was expecting to enter into a transaction  
11       with [REDACTED]

12          A.       In the company's position, yes.

13          Q.       When did Brevet first engage in  
14       discussions with [REDACTED] about a prospective  
15       transaction?

16          A.       I do not recall exactly sitting  
17       here right now.

18          Q.       Did you look at that to prepare  
19       for this deposition?

20          A.       The discussions I believe began  
21       around 2014, but I don't know exactly when  
22       the discussions started.

23          Q.       So in or about 2014, who from  
24       Brevet engaged in discussions with [REDACTED]  
25       regarding a prospective transaction for

1 da Silva Vint

2 Brevet?

3 A. I think there were a number of  
4 people throughout the years that had  
5 discussions with [REDACTED] around a potential  
6 transaction.

7 Q. Can you describe for me -- are  
8 we talking about multiple transactions or  
9 one transaction?

10 A. It was around a white labeling  
11 of Brevet, so it would have involved both  
12 investing money in and then white labeling  
13 products that Brevet was investing in.

14 Q. What do you mean by "white  
15 labeling"?

16 A. Meaning that [REDACTED] would  
17 potentially put their name on -- alongside  
18 Brevet's, which is usually what "white  
19 labeling" means in the fund world.

20 Q. Okay. Did Brevet enter into a  
21 term sheet with [REDACTED] regarding this  
22 prospective white labeling transaction?

23 A. I can't recall exactly sitting  
24 here today if it got to a term sheet or if  
25 it was e-mail discussions around terms

1                   da Silva Vint

2       around the potential transaction.

3               Q.       Can you describe to me the terms  
4       of the transaction that Brevet was expecting  
5       to enter into with [REDACTED]

6               A.       [REDACTED] would help raise money  
7       from their clients and Brevet would deploy  
8       that money.

9               Q.       How much money was Brevet going  
10      to deploy?

11              A.       Sorry. I think the range was  
12      between 25 to hundreds of millions of  
13      dollars.

14              Q.       The range was between 25 million  
15      and hundreds of millions?

16              A.       Correct.

17              Q.       Well, did the parties reach  
18      agreement on where along that continuum they  
19      were going to land?

20              A.       No.

21              Q.       Why not?

22              A.       It was ongoing discussions.

23              Q.       Was there any specific  
24      transaction that the parties were discussing  
25      or was it just a general discussion about

1                               da Silva Vint

2       potential business?

3               A.       No.

4                       MR. UNDERWOOD:   Object to the  
5               form of the question.

6               A.       It's pretty standard what I'm  
7       describing.   They were talking about white  
8       labeling, which is to deploy money with  
9       Brevet into what Brevet is an expert at in  
10      terms of lending money out in their  
11      programs.

12              Q.       Did Brevet approve this  
13      potential transaction as something that it  
14      was prepared to engage in with [REDACTED]

15              A.       I don't know what you mean by  
16      "approve."

17              Q.       Before Brevet enters into a  
18      transaction, I assume there is an approval  
19      process by which some individual or  
20      committee needs to approve the potential  
21      transaction; is that right?

22              A.       No.   I mean, it depends what  
23      you're talking about.

24              Q.       I'm talking about this type of  
25      transaction where Brevet takes on money, as



1                   da Silva Vint

2       I describe it, and then deploys it. Does  
3       Brevet just take on money from anybody who  
4       wants to offer it and then deploy it?

5           A.       No. But I wouldn't say that  
6       there is -- like that there is an approval  
7       process specific to this type of deal.

8           Q.       What type of process would  
9       be -- typically be followed in order to move  
10      forward with a deal like the one that you're  
11      describing?

12          A.       It would likely be discussed at  
13      senior management, there would be legal  
14      documentation, and then in terms of  
15      investments, the transaction would likely  
16      have to go through the investment committee.

17          Q.       Did the investment committee  
18      consider the potential [REDACTED] investment  
19      transaction?

20          A.       You have that order wrong. I  
21      said that because they would be investing  
22      money, once the money was invested, then it  
23      would go into transactions that Brevet does.  
24      So once you -- we were getting ready to  
25      deploy the money that [REDACTED] had given us,

1                   da Silva Vint

2       then it would go into transactions. Those  
3       types of transactions would be approved by  
4       an investment committee.

5           Q.       [REDACTED] giving money to Brevet  
6       would not require any approval process; is  
7       that what you're telling me?

8           A.       No, I did not say that.

9                   MR. UNDERWOOD: Object to the  
10       form of the question.

11          A.       I didn't not say that.

12          Q.       What approval process would be  
13       required for Brevet to take on [REDACTED] money?

14          A.       As I stated, there would be  
15       discussions among senior management, there  
16       would be legal documentation. Depending on  
17       what entity was entering into this  
18       transaction with [REDACTED] the money would  
19       come in, and then depending on whatever the  
20       process that [REDACTED] came into agreement with  
21       Brevet in terms of deploying the money, the  
22       deployment into those underlying loans would  
23       have to be approved by the investment  
24       committee.

25          Q.       How far along did this

1                   da Silva Vint

2       particular transaction get; do we have  
3       agreements, draft agreements with [REDACTED]?

4           A.       Sitting here today, I don't know  
5       if we have draft agreements. Like I said  
6       before, I think there were e-mails and  
7       discussions of the potential term sheet, and  
8       [REDACTED] had multiple conversations, there was  
9       diligence, there were materials provided.

10          Q.       Did [REDACTED] ultimately break off  
11       discussions with Brevet?

12          A.       Yes.

13          Q.       When did that happen?

14          A.       I don't recall exactly sitting  
15       here today when discussions stopped.

16          Q.       Can you tell me approximately  
17       when?

18          A.       I believe it was in 2016  
19       sometime, maybe --

20          Q.       Who was involved --

21          A.       -- 2017.

22          Q.       Okay.

23                   Who was involved in the  
24       discussions on the Brevet side and who was  
25       involved on the [REDACTED] side?

1                   da Silva Vint

2           A.       I don't recall the exact name of  
3   the person at [REDACTED] It might have been  
4   the CEO, a man named [REDACTED] [REDACTED]. There was  
5   another individual that I can't remember the  
6   name exactly of, who I know that we sought  
7   discovery from during this case. On the  
8   Brevet side, it would have been Doug, who is  
9   (phonetic) Monticciolo, at some point Brian  
10  Lippey was involved, at one point I had a  
11  discussions with them as well when they came  
12  into our offices.

13           Q.       What was the reason that the  
14  [REDACTED]-Brevet discussions stopped?

15           A.       From the company's position, we  
16  believe it was because Paul was having  
17  parallel conversations with them about  
18  products that he said was his, but were  
19  Brevet's.

20           Q.       What is the basis for your  
21  belief that the reason the [REDACTED]  
22  discussions stopped was because  
23  Mr. Iacovacci was having conversations with  
24  them?

25           A.       I believe that we have e-mails

1                   da Silva Vint

2       showing that he was having discussions with  
3       them and we don't have a reason to believe,  
4       after they were very interested and excited  
5       about working with us, that they stopped for  
6       any other reason.

7               Q.       Any other basis for your belief  
8       that the reasons [REDACTED] stopped the  
9       discussions with Brevet was because  
10      Mr. Iacovacci was having separate  
11      discussions with them beyond what --

12              A.       The company's position is that  
13      discussions stopped because of  
14      Mr. Iacovacci.

15              Q.       I understand that. I'm asking  
16      you about the basis for that position and  
17      you've identified the fact that you have  
18      seen side discussions with Mr. Iacovacci and  
19      that you couldn't come up with any other  
20      explanation for why [REDACTED] would stop  
21      discussions with Brevet. I have that  
22      testimony.

23                      I want to make sure that there  
24      is nothing else, there is no other basis for  
25      your position or your belief that the reason

1                   da Silva Vint  
2       that the discussions stopped was because  
3       Mr. Iacovacci was having side discussions  
4       with them.

5           A.       In his own capacity?

6           Q.       In his own capacity, right.  
7                   Any other basis?

8           A.       No.

9           Q.       Let's talk about [REDACTED]

[REDACTED] [REDACTED]. Was [REDACTED] [REDACTED]  
[REDACTED] a potential transaction that Brevet  
12       was going to engage in?

13          A.       It could have been.

14          Q.       I'm not asking whether it could  
15       have been. I'm asking whether it was.

16          A.       It was diverted. So had it been  
17       properly brought to Brevet as it should have  
18       been, it is a potential transaction that  
19       Brevet would have engaged in.

20          Q.       Was [REDACTED] [REDACTED] [REDACTED]  
21       ever in discussions with Brevet with respect  
22       to a prospective transaction?

23          A.       Sitting here today, I do not  
24       know.

25          Q.       Did [REDACTED] [REDACTED] [REDACTED]

1                   da Silva Vint

2       ever engage in any transaction with Brevet?

3           A.       Like I said, sitting here today,  
4       I do not know.

5           Q.       What is the basis for your  
6       position that [REDACTED] [REDACTED] [REDACTED] was  
7       a transaction that Brevet would have engaged  
8       in but for Mr. Iacovacci's involvement?

9           A.       Because we had -- Brevet has  
10      done this type of transaction in the past,  
11      it is the type of transaction that we would  
12      look at and evaluate and determine if we  
13      wanted to enter.

14          Q.       What do you mean by "this type  
15      of transaction"?

16          A.       Medical receivables, recovery of  
17      medical receivables.

18          Q.       Brevet does medical receivable  
19      recovery transactions, is that what you're  
20      describing?

21          A.       The company has done medical  
22      receivable recovery transactions in the  
23      past.

24          Q.       And describe to me what those  
25      transactions involved?

1                   da Silva Vint

2           A.       They involved potentially late  
3   invoices or receivables, and you buy them at  
4   a discount, and you work -- you hire -- work  
5   with people who are recovering them and you  
6   finance those.

7           Q.       Who is the "you"; is that -- I  
8   heard a bunch of "you"?

9           A.       Brevet, the company.

10          Q.       Brevet would buy medical  
11   receivables at a discount and then do what?

12          A.       Or we would work with someone  
13   and we finance that person who was buying  
14   them at a discount to recover them.

15          Q.       How many times has Brevet done  
16   that type of deal?

17          A.       Sitting here today, I do not  
18   know the exact number. I know that Brevet  
19   has done them in the past.

20          Q.       Could you give me an estimate as  
21   to how many times Brevet has done that type  
22   of transaction?

23          A.       No.

24          Q.       Is it more or less than two?

25          A.       Again, I do not know sitting



1                   da Silva Vint

2       here today.

3               Q.       Can you identify any instance  
4       where Brevet has engaged in that type of  
5       transaction?

6               A.       Yes.

7               Q.       Which one can you identify for  
8       me or ones?

9               A.       Sitting here today, I can't  
10       recall the name of the transaction, but I am  
11       aware of a transaction where receivables  
12       were financed, medical receivables.

13              Q.       What was the volume of the  
14       transaction?

15              A.       Millions.

16              Q.       How many millions?

17              A.       Like sitting here today, I don't  
18       have that exact detail with me right now.

19              Q.       Does Brevet have -- does the  
20       amount of the potential receivable pool  
21       matter to Brevet in terms of whether it's  
22       something that Brevet wants to get involved  
23       in?

24              A.       No, it does not.

25              Q.       So if I came to Brevet and I had

1                   da Silva Vint  
2       a \$200 receivable from someone who owes me  
3       money in the medical space, Brevet would  
4       give serious thought to financing that \$200  
5       receivable or buying it itself and trying to  
6       collect?

7                   MR. UNDERWOOD: Object to the  
8       form of the question.

9                   A.       We don't do consumer  
10      receivables.

11                  Q.       What about medical receivables?

12                  A.       If it's a consumer medical  
13      receivable, we wouldn't have done it.

14                  Q.       Let's say it's a nonconsumer  
15      medical receivable.

16                  MR. UNDERWOOD: Object to the  
17      form of the question.

18                  A.       So I think your example is very  
19      narrow, and I'm not sure is it one \$200  
20      receivable or part of a program of  
21      receivables, multiples receivables?

22                  Q.       It's one \$200 receivable.

23                  A.       Potentially if we had worked  
24      with you in the past, and there was a  
25      reason, we wanted to test the market, we may

1                   da Silva Vint

2       have done it.

3               Q.       Has Brevet ever done a  
4       transaction which involved a potential \$200  
5       receivable?

6               A.       Perhaps. I don't -- sitting  
7       here today, that's not something I looked  
8       at.

9               Q.       How about the [REDACTED] deal,  
10      what was that?

11              A.       It was around financing and [REDACTED]  
12      eligible deal.

13              Q.       For whom?

14              A.       I believe the --

15              Q.       Are you looking at something or  
16      talking to someone?

17              A.       I'm looking at the exhibit.

18              Q.       Okay.

19                      MR. UNDERWOOD: Exhibit 15.

20              A.       So there was another deal  
21      related to, I think -- I can't recall the  
22      individual's name, but it was an [REDACTED] deal  
23      that Paul diverted away from Brevet.

24              Q.       Sorry. Are you saying the [REDACTED]  
25      deal that you're testifying to is not listed

1                   da Silva Vint

2       on the damages summary that you have  
3       provided us?

4           A.       Correct, I don't see it on here.

5           Q.       Why is that not listed?

6           A.       I don't know why it's not  
7       listed.

8           Q.       Did you prepare this damages  
9       summary?

10          A.       I did not prepare this damages  
11       summary.

12          Q.       Who prepared it?

13          A.       I took part in preparing this  
14       damages summary, but I did not necessarily  
15       prepare the entire thing by myself.

16          Q.       I didn't ask you if you prepared  
17       it by yourself, but you were involved in  
18       preparing this damages summary, right?

19          A.       I was, and what I said was it  
20       was a deal that was diverted away. I didn't  
21       say that it went into this specific damages  
22       summary.

23          Q.       Well, why not; if this was a  
24       deal that was diverted away, why does it not  
25       appear on the damages summary that you

1 da Silva Vint

2 prepared?

3 A. Because I don't think everything  
4 that relates to the damages of Paul's  
5 misconduct appears specifically on this  
6 damages summary.

7 Q. Well, how did you select what  
8 you were going to put on this damages  
9 summary and what you were going to leave  
10 out?

11 MR. UNDERWOOD: Object to the  
12 form of the question.

13 A. I think we had specific examples  
14 of potential investors, real investors who  
15 we have a track record with, those type of  
16 investors and the size and the types of  
17 investments that they would make, we had  
18 specific examples of [REDACTED] and the types of  
19 transactions, based on the discovery that we  
20 have, [REDACTED] et cetera. I'm not really  
21 sure why the [REDACTED] deal I'm talking about  
22 specifically right now is not on this  
23 damages sheet, but I'm just talking about a  
24 deal that was diverted away.

25 Q. I guess I'm not following,

1                   da Silva Vint

2       Ms. Da Silva Vint. You were involved in  
3       preparing this damages summary and you were  
4       involved in answering the question that I  
5       asked you at the beginning of this  
6       deposition. And when I asked you for  
7       examples, the second thing that you gave me  
8       was the [REDACTED] deal, and yet when I  
9       look at the damages summary that you  
10      prepared, it doesn't appear anywhere, and  
11      I'm asking you to explain to me why.

12             A. I just did, and I told you --  
13      your question was around clients -- or  
14      clients that had been diverted away from  
15      Brevet. And [REDACTED] was one of the examples  
16      I gave as clients that had been diverted  
17      away from Brevet.

18             Q. Well, Ms. Da Silva Vint, I don't  
19      think that's right. I think I asked you  
20      about clients initially, we talked about  
21      investor clients, and then we talked about  
22      the borrower clients, we moved on to talking  
23      about transactions that you claimed were  
24      diverted. Do you remember you were  
25      clarifying that?

1                   da Silva Vint

2                   A.       Yes, and that's actually what I  
3       just said.

4                   Q.       Well, my apologies if I  
5       misunderstood that. But you understood that  
6       the second transaction you identified as  
7       Mr. Iacovacci having diverted from Brevet  
8       was a [REDACTED] [REDACTED] deal that doesn't appear  
9       anywhere on the damages summary, two-page  
10      Exhibit 15?

11                  A.       I'm not understanding the  
12      connection you're trying to make. You asked  
13      me about potential clients or investors had  
14      been diverted away, examples. So those are  
15      the examples that I remembered. I'm not  
16      sure how that relates to the damages page  
17      that you're looking at.

18                  Q.       Did you remember the [REDACTED] [REDACTED]  
19      deal in between the time that you were  
20      involved in preparing Exhibit 15 and the  
21      time that I asked you the questions this  
22      afternoon?

23                  A.       Did I remember the [REDACTED] [REDACTED]  
24      deal when we were preparing the damages  
25      summary, no.

1                   da Silva Vint

2                   As I was preparing for my  
3       topics, I went to things that have been  
4       produced, affidavits, et cetera, and I  
5       remembered the [REDACTED] [REDACTED] deal.

6           Q.       When did you prepare the damages  
7       summary?

8           A.       It was weeks ago.   Actually,  
9       when I was supposed to be deposed  
10      originally.

11          Q.       Did you think to update the  
12      damages summary before you gave it to us or  
13      brought it to this deposition?

14          A.       I literally was reviewing stuff  
15      right before I walked in here.   There was  
16      voluminous information.   And the [REDACTED] [REDACTED]  
17      deal was something I reviewed right before  
18      this deposition started.

19          Q.       So you're saying until today you  
20      hadn't remembered that there was a [REDACTED]  
21      [REDACTED] deal that Brevet contends Mr. Iacovacci  
22      diverted; is that fair?

23          A.       I was -- no, my memory is  
24      refreshed today.

25                   MR. UNDERWOOD:   We are at



1                   da Silva Vint

2                   36 minutes on the record, so I think  
3                   the deposition is completed.

4                   MR. CYRULNIK: The deposition is  
5                   not completed. I'm happy to go -- I'm  
6                   happy to talk about this on the record  
7                   also.

8                   First of all, Mr. Underwood,  
9                   counting deposition time where you're  
10                  makings speeches or your colleague is  
11                  making speeches is not deposition time  
12                  and you know that. Counting  
13                  deposition time about trying to  
14                  educate you about what your  
15                  obligations to share with us the  
16                  identity of materials that are brought  
17                  into a deposition room is not  
18                  deposition time. Time spent swearing  
19                  in the witness is not deposition time.  
20                  And we already made this record  
21                  yesterday.

22                  We are trying, as you can  
23                  probably tell, to quickly and  
24                  efficiently get through the many  
25                  topics that Ms. Da Silva Vint was

1                   da Silva Vint  
2           designated to serve as a 30(b)(6)  
3           witness on. We've had some trouble  
4           doing that for reasons that are  
5           obvious. There has been some  
6           interruptions, there have been  
7           colloquy about what is in the  
8           deposition room, and yesterday there  
9           was more than an hour worth of time  
10          that was not spent answering  
11          questions, and we made that clear.

12                 So our intention is to try and  
13           get through these questions with this  
14           witness. It's important for purposes  
15           of developing a record in this case.

16                 I think the Court would  
17           appreciate having Brevet's position at  
18           deposition that set forth these types  
19           of questions, which again are very  
20           targeted and very clear answered. We  
21           think that's what the rules allow and  
22           provide for.

23                 I obviously can't prevent you or  
24           this witness from doing what you're  
25           going to do apart from being able to

1                   da Silva Vint

2                   address it by then going to the Court  
3                   and explaining what happened and what  
4                   didn't happen.

5                   So our intention is to move  
6                   extremely quickly as you can tell,  
7                   much to the chagrin of the court  
8                   reporter, to get through as much of  
9                   this material as we can. We would  
10                  appreciate your being cooperative in  
11                  that regard.

12                 This witness appears to have  
13                 prepared for this deposition with the  
14                 intention of giving us answers to  
15                 these questions, and I think the most  
16                 efficient and wise way to go about  
17                 this would be try to get through this  
18                 material quickly, which I think we can  
19                 do.

20                 MR. UNDERWOOD: Mr. Cyrulnik, we  
21                 have a stipulation that calls for the  
22                 deposition of Mr. Monticciolo and  
23                 Ms. Da Silva Vint shall be limited to  
24                 a total of five hours on the record.  
25                 Yesterday's deposition was four hours

1                   da Silva Vint  
2                   and 24 minutes, which would leave  
3                   36 minutes. We have gone over the  
4                   36 minutes today. It is our view that  
5                   the deposition is closed.

6                   MR. CYRULNIK: Number one, we  
7                   reserved an hour yesterday for  
8                   Ms. Da Silva Vint's deposition, so  
9                   that's just flatout not true. Number  
10                  two, you're telling me it was four  
11                  hours and 24 minutes on the record,  
12                  that is including portions of the  
13                  deposition that was not questioning at  
14                  all, but instead lengthy colloquy that  
15                  your colleague insisted in putting on  
16                  the record in order to make sure that  
17                  record time was increased as much as  
18                  possible, and that obviously doesn't  
19                  count against our time.

20                  So what we would propose to do,  
21                  once again, is to continue asking  
22                  these questions to this witness and  
23                  getting through them relatively  
24                  quickly. I'm hopeful that we would  
25                  get through these questions within the

1                   da Silva Vint  
2           next hour, quite hopeful, especially  
3           if we keep up the pace that we're  
4           going at. That's what we would like  
5           to do.

6                   MR. UNDERWOOD: You know as well  
7           as I do that the time on the record  
8           yesterday was four hours and  
9           24 minutes. Notwithstanding your  
10          intent to reserve an hour for  
11          Ms. Da Silva Vint, you ate into that  
12          hour by going to four hours and  
13          24 minutes. Now, that leaves  
14          36 minutes on the record. On the  
15          record. Not 36 of questioning. Not  
16          36 minutes of answering. The  
17          stipulation is clear, 36 minutes on  
18          the record today, four hours and  
19          24 minutes on the record yesterday,  
20          five hours.

21                   The deposition is closed. We  
22           don't need to go -- we don't need to  
23           waste another ten minutes with you  
24           stating your position again and me  
25           stating my position again. The reason

1                   da Silva Vint

2           we asked for and got a stipulation is  
3           so we wouldn't have to have this  
4           argument.

5                   Five hours on the record, five  
6           hours is complete. We're closing the  
7           deposition.

8                   MR. CYRULNIK: As I said, your  
9           position reduces the proposition that  
10          you and your colleague can take up as  
11          much time as you'd like to on the  
12          record by insisting that the  
13          videographer not turn off the camera  
14          while you make long speeches or engage  
15          in lengthy attempts to access  
16          documents that you brought with you to  
17          the deposition. That obviously is not  
18          consistent with the spirit of any  
19          agreement to take meaningful 30(b)(6)  
20          deposition testimony with respect to  
21          important topics concerning Brevet's  
22          claims in this case and otherwise.

23                   So as I said, we think we can do  
24          this relatively quickly. We don't  
25          think there is any world in which

1                   da Silva Vint  
2           reviewing the record from yesterday  
3           will confirm that there was anything  
4           close to four hours and 24 minutes  
5           used asking questions to  
6           Mr. Monticciolo. And if your position  
7           is that you intended to include in  
8           that time that you didn't identify you  
9           were going to insist on putting on the  
10          record, then we obviously strongly  
11          disagree and would think the Court  
12          would have the same position.

13                   So you can either walk out of  
14          the deposition and necessitate  
15          judicial intervention or whatever  
16          other consequences or we can try to  
17          finish this cooperatively. We  
18          obviously prefer the latter, but can't  
19          prevent you from taking the former.  
20          So I will ask my next --

21                   MR. UNDERWOOD: We're not  
22          walking out of the deposition. We are  
23          enforcing the terms of the  
24          stipulation, five hours. It's done.  
25          We are concluding the deposition at

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da Silva Vint

this point.

Lengthy recitations of positions  
and arguments and things you wished  
you had gotten maybe in the  
stipulation aren't going to help us.  
We're done.

(Continued on following page.)



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da Silva Vint

MR. CYRULNIK: You can play  
technical games, Mr. Underwood, but we  
are not closing the deposition. I'm  
asking questions --

(All Reed Smith participants  
depart the Zoom deposition.)

(The Court reporter goes off  
stenographic record.)

THE VIDEOGRAPHER: Okay,  
Counsel, I'm going to have to conclude  
the video recording.

(Time noted: 3:01 p.m.)

-----

MEI-LI DA SILVA

Subscribed and sworn to before me  
this \_\_\_ day of \_\_\_\_\_, 202\_.

-----

Notary Public

1

2

C E R T I F I C A T E

3

STATE OF NEW YORK )

4

: ss.

5

COUNTY OF NEW YORK )

6

7

I, THERESA TRAMONDO, a Notary  
Public within and for the State of New  
York, do hereby certify:

10

11

That MEI-LI DA SILVA, the witness  
whose deposition is hereinbefore set  
forth, was duly sworn by me and that such  
deposition is a true record of the  
testimony given by the witness.

12

13

14

15

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19

I further certify that I am not  
related to any of the parties to this  
action by blood or marriage, and that I am  
in no way interested in the outcome of  
this matter.

20

21

22

IN WITNESS WHEREOF, I have  
hereunto set my hand this 29th day of  
November, 2021.

23

24



25

THERESA TRAMONDO

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2

----- I N D E X -----

3

WITNESS EXAMINATION BY PAGE

4

M. DA SILVA MR. CYRULNIK 5

5

VINT

6

----- INFORMATION REQUESTS -----

7

DIRECTIONS: (NONE)

8

RULINGS: (NONE)

9

TO BE FURNISHED: (NONE)

10

REQUESTS: 20, 24

11

MOTIONS: (NONE)

12

CONFIDENTIAL: (NONE)

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14

----- EXHIBITS -----

15

EXHIBIT FOR ID.

16

17

Exhibit 15, two-page damages 19

18

summary

19

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## 516-608-2400

[&amp; - beginning]

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.



VERITEXT LEGAL SOLUTIONS  
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at [www.veritext.com](http://www.veritext.com).